(b) if so, the details thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI RAM VILAS PASWAN): (a) and (b) While considering the amendments to the Indian Patents Act, 1970 elaborate consultations were carried out with all the concerned Departments of the Government of India and also with the various concerned organizations and industry associations including the prominent associations of the pharmaceutical industry. The concerns and apprehensions projected by the pharmaceutical industry, including the impact on the pharmaceutical sector as a whole, have been by and large been given consideration and adequate safeguards to ensure the continued availability of medicines at reasonable prices have been incorporated in the law while finalizing the amendments.

It is estimated that over 95 percent of the drugs being produced in India are off-patent and would not be affected by the introduction of product patent. Similarly the medicines included in the National List of Essential Medicines, 2003 are also off-patent and would not be affected by the product patent regime. The small number of durgs (less than 5 percent) which are likely to be covered under product patent would continue to be produced in the country without any interruption. This has been ensured under the latest amendment in the Indian Patents Act, 1970. A reasonable royalty on the production of such drugs would become payable to the patent-holder company.

Since production of the existing drugs being produced in India would not be affected by the introduction of product patent regime, no adverse impact is likely on the existing units due to this reason.

Taxes on medicines

†2076. SHRI RAM JATHMALANI:
DR. MURLI MANOHAR JOSHI: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether it is a fact that taxes upto 60 per cent are being charged on medicines in the country;

(b) if not, the facts in this regard; and

†Original notice of the question was received in Hindi.

(c) the taxes being charged by the Central Government and State Government on the medicines in the country during the year 2005-06 along with the rates thereof?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI RAM VILAS PASWAN): (a) to (c) In general, drugs/medicines attract customs duty @ 15% (peak rate of customs duty) and central excise duty @ 16%. However, some full/partial exemptions/concessions from customs and central excise duties on specified drugs and medicines are presently in force.

Sales Tax is a State subject. Different States practice different; levy of sales tax. Uniformity has been achieved for those States where value Added Tax (VAT), under which a uniform rate of 4% has been implemented. However, all the States have not implemented VAT and therefore, uniformity between various States is yet to be achieved. Apart from VAT/sales tax, States also levy local taxes such as Octroi etc.

Adulteration in Oils

2077. SHRI LALITBHAI MEHTA: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) the steps taken to implement Edible Oils Packaging (Regulation) Order 1998, effectively;

(b) the number of cases of adulterated oils reported; and

(c) the number of such cases during the years from 2002-03 to 2004-05, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTIOON (DR. AKHILESH PRASAD SINGH): (a) Some of the State Government/UT Administrations which have not implemented the Edible Oils Packaging (Regulation) Order, 1998 or have granted exemptions/extensions for varying period of time deferring the implementation of the Order have been reiterated the need to implement the Order in letter and spirit.

(b) and (c) State-wise, number of cases of adulteration reported for the latest years 2002 and 2003 is enclosed as per Statement.